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Attorneys for Plaintiffs,
ELEKTRA ENTERTAINMENT GROUP
INC.; CAPITOL RECORDS, INC.;
PRIORITY RECORDS LLC; UMG
RECORDINGS, INC.; SONY BMG
MUSIC ENTERTAINMENT; and BMG
MUSIC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ELEKTRA ENTERTAINMENT GROUP INC.,
a Delaware corporation; CAPITOL RECORDS,
INC., a Delaware corporation; PRIORITY
RECORDS LLC, a California limited liability
company; UMG RECORDINGS, INC., a
Delaware corporation; SONY BMG MUSIC
ENTERTAINMENT, a Delaware general
partnership; and BMG MUSIC, a New York
general partnership,

Plaintiffs,

v.

JEROME TULIO,

Defendant.

CASE NO. C 07-03553 EMC

Honorable Edward M. Chen

***EX PARTE APPLICATION TO CONTINUE
CASE MANAGEMENT CONFERENCE
AND [PROPOSED] ORDER***

Plaintiffs hereby request that the Court continue the case management conference currently set for October 17, 2007, at 1:30 p.m. to January 16, 2008. Defendant was served with the Summons and Complaint in this matter on July 23, 2007. The parties, through their respective counsel, then stipulated to extend the time to respond to the Complaint until September 4, 2007. Defendant has not answered or otherwise responded to the Complaint. However, the parties have been in communication regarding settlement, and Plaintiffs now believe that this case has settled. The parties are now in the process of finalizing the settlement documents, and will file dispositional documents as soon as they are completed. In the light of the foregoing circumstances, a case management conference is not necessary at this time. Plaintiffs therefore respectfully request that the Court continue the case management conference currently set for October 17, 2007, at 1:30 p.m. to January 16, 2008.

DATED: October 10, 2007

HOLME ROBERTS & OWEN LLP

By: /s/ Matthew Franklin Jaksa
Matthew Franklin Jaksa
Attorney for Plaintiffs

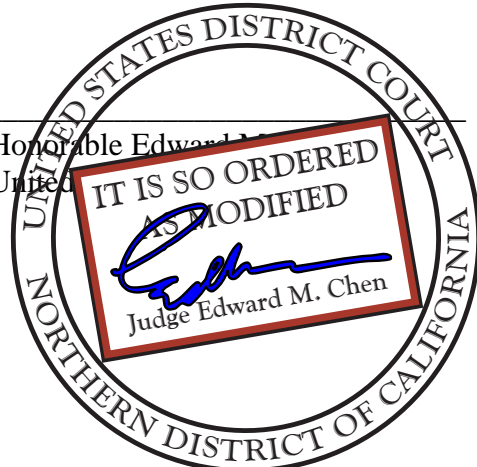
ORDER

Good cause having been shown:

IT IS ORDERED that the case management conference currently scheduled for October 17, 2007, at 1:30 p.m. to January 16, 2008. Joint CMC statement due January 9, 2008.

Dated: October 15, 2007

By: Honorable Edward M. Chen
United States District Court



PROOF OF SERVICE

STATE OF CALIFORNIA, CITY AND COUNTY OF SAN FRANCISCO

I am employed in the office of Holme Roberts & Owen in San Francisco, California. I am over the age of eighteen years and not a party to the within action. My business address is 560 Mission Street, 25th Floor, San Francisco, CA 94105.

On October 10, 2007, I served the foregoing documents described as:

**EX PARTE APPLICATION TO CONTINUE CASE MANAGEMENT CONFERENCE AND
[PROPOSED] ORDER**

on the interested party in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

**Michael Guta, Esq.
Law Offices of John E Hill
8105 Edgewater Drive, Ste. 100
Oakland, CA 94621**

**Jerome Tulio
120 Bayview Drive
South San Francisco, CA 94080**

XX BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

XX (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on October 10, 2007 at San Francisco, California.



Molly Morris